

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.

★ FEB 28 2011 ★

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ZOLTAN HIRSCH,

BROOKLYN OFFICE

Plaintiff,

- against -

ORDER
10-CV-2579 (RRM) (RER)

A PLUS NOODLE HOUSE, INC., et al.,

Defendants.
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MAUSKOPF, United States District Judge.

By motion filed September 2, 2010, Plaintiff Zoltan Hirsch moved for Entry of Default against Defendant A Plus Noodle House, Inc. By Order entered September 19, 2010, this Court referred that motion to the assigned Magistrate Judge, the Honorable Ramon E. Reyes, Jr., for a Report and Recommendation. On February 8, 2011, Judge Reyes issued a Report and Recommendation (the "R&R") recommending that Plaintiff's motion be denied as moot because Defendant has answered, is now represented by counsel, and the parties are in discussions to reach an amicable resolution of the matter. Judge Reyes reminded the parties that, pursuant to Rule 72(b), any objection to the R&R was due by February 22, 2011. No party has filed any objection.

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the Court has reviewed the R&R for clear error and, finding none, concurs with the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007). Accordingly, it is hereby ORDERED that Plaintiff's motion for default judgment is DENIED as moot.

SO ORDERED.

Dated: Brooklyn, New York
February 25, 2011

s/Roslynn R. Mauskopf

ROSLYNN R. MAUSKOPF
United States District Judge